

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

KELLY MANOR,

Plaintiff,

v.

Case No.

MARK HARD SAW; PUTNAM TRUCKING
INC.; DOES I-V; and ROES
CORPORATIONS VI-X, inclusive,

Defendants.

NOTICE OF REMOVAL

Defendants, Mark Hardsaw and Putnam Trucking, Inc., by and through their counsel, hereby submit their Notice of Removal, pursuant to 28 U.S.C. §§ 1441 and 1446, and in support of the removal of this action from the Circuit Court of St. Croix County, Wisconsin, to the United States District Court for the Western District of Wisconsin, state as follows:

1. This action was initiated by the plaintiff, Kelly Manor, in the Circuit Court of St. Croix County, Wisconsin, and is currently pending in said Court as Civil Action No. 2021-CV-000330.

2. This action was filed by the plaintiff on September 20, 2021. The defendant, Mark Hardsaw, upon information and belief, may or may not have been served with a copy of the Summons and Complaint. The defendant, Putnam Trucking, Inc., was served by a process server with a copy of the Summons and

Complaint on October 28, 2021. A copy of the Summons and Complaint is attached to this Notice as Exhibit A.

3. Plaintiff also named Does I-V and Roes Corporations VI-X as additional defendants. Does I-V and Roes Corporations VI-X are parties identified and/or sued under fictitious names and their citizenship shall be disregarded for purposes of removal pursuant to 28 U.S.C. § 1441(a).

4. On November 18, 2021, the defendants, Mark Hardsaw and Putnam Trucking, Inc., filed their Notice of Appearance. A copy of the Notice of Appearance is attached to this Notice as Exhibit B.

5. Defendants have not been served with any process, pleadings or orders in this action, and no other process, pleadings or orders have been filed in this action other than the documents attached hereto as Exhibits A and B.

6. This notice is timely filed pursuant to 28 U.S.C. § 1446(b)(3), in that thirty (30) days have not expired since October 28, 2021, the date on which the defendant, Putnam Trucking, Inc., was served with a copy of the Summons and Complaint.

7. The plaintiff, Kelly Manor, is an adult citizen of Glenwood City, Wisconsin. The defendant, Mark Hardsaw, is an adult citizen of Mode, Illinois. The defendant, Putnam Trucking, Inc., is an Illinois corporation having its principal place of business in Effingham, Illinois.

8. Based upon the nature of the allegations in the Complaint, the matter in controversy in this action exceeds the sum of \$75,000, exclusive of interest and costs.

9. This court has original jurisdiction of this action pursuant to 28 U.S.C. § 1332 because the matter in controversy exceeds the sum of \$75,000, exclusive of interest and costs, and is between individuals and corporations deemed citizens of different states.

WHEREFORE, the defendants, Mark Hardsaw and Putnam Trucking, Inc., respectfully request that this case be removed from the St. Croix County Circuit Court of Wisconsin to the United States District Court for the Western District of Wisconsin.

Dated: November 19, 2021.

s/Jay R. Starrett

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